



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/887,556	06/22/2001	David William LaBrie	053028-0104	5873

26371 7590 04/10/2006

FOLEY & LARDNER LLP
777 EAST WISCONSIN AVENUE
SUITE 3800
MILWAUKEE, WI 53202-5308

EXAMINER

LIM, KRISNA

ART UNIT

PAPER NUMBER

2153

DATE MAILED: 04/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/887,556

Applicant(s)

LABRIE ET AL.

Examiner

Krisna Lim

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 42-82 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 42-82 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2153

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/20/06 has been entered. Claims 41-82 are pending for examination while claims 1-41 were canceled.

2. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 42-82 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Belfiore et al. [U.S. Patent No. 6,038,610] in view of Official Notice. This reference was cited as a pertinent art in the previous office action.

4. Belfiore et al. disclosed (e.g., see Figs. 113) the invention substantially as claimed.

Taking claims 42, 53, 64-69 as exemplary claims, the reference disclosed information system (Fig. 2) providing information relating to a specified site (e.g., sitemap, an abstract, col. 4, lines 18-20), comprising:

- a) a communication network (Internet);
- b) a server (e.g., a server 30, col. 1 (lines 33 and 44), col. 4 (line 20)) coupled to the communication network (Internet or Intranet) the server including a database (sitemap) of information relating to specific locations within the site including interactive map (e.g., index of the content of the web page, col. 2 (lines 53-55);

Art Unit: 2153

- c) a terminal device (e.g., a client computer) including a processor and a display;
- d) a user interface (e.g., a web browser 17, col. 3 (lines 55-57), col. 4 (lines 7-20) providing on the display of the terminal device (e.g., see the browser 17 on the client computer 10), the user interface including user selectable options (e.g., icons or site list object of Figs. 6 and 8 or list item including a name field as well as a URL, col. 7 (lines 1-27)) and configured to selectively provide site user information (sitemaps) to a site user (client or user), including access to the database of information (e.g., content of information of sitemap providing by the server).

5. Belfiore et al. does not mention that their server 30 support a GPS device. Official notice is taken that such use of GPS device is well known and expected in the art at the time the invention was made. Thus, it would have been obvious to have used GPS device for communicate between devices in order to save time and money which are desirable features in the art.

6. As to claims 43-49, 54-60 and 70-76, while Belfiore et al. disclosed the use of URL for identifying the location of the web page at the web site (e.g., col. 7, lines 4-5), Belfiore et al. does not explicitly mention that the site of those sitemaps is either a resort, a ski resort, an airport, a conventional center, an amusement park, a campus, a cruise ship, etc., It would have been obvious to one of ordinary skill in the art to recognize that such specific site would have been a matter of intends use of the web site.

7. As claims 50-52, 61-63 and 77-79 Official notice is taken that such use of handheld device including a radio frequency transceiver including RF transceiver that used the standard IEEE 802.11 are well known and expected in the art at the time the invention was made in order to save time and money for the new design by using the well-known and available devices.

Art Unit: 2153

8. As to claims 80-82, such use of client computer for doing business such as debiting a user account or purchasing goods or services would have been a matter of using computer to buy merchandise on-line.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The references are cited in the Form PTO-892 for the applicant's review.

A shortened statutory period for response to this action is set to expire 3 (three) months and 0 (zero) days from the mail date of this letter. Failure to respond within the period for response will result in **ABANDONMENT** of the application (see 35 U.S.C 133, M.P.E.P 710.02, 710.02(b)).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krisna Lim whose telephone number is 571-272-3956. The examiner can normally be reached on Monday to Wednesday and Friday from 7:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess, can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KI

April 2, 2006



KRISNA LIM
PRIMARY EXAMINER